

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

SUSAN R. WEAVER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL NO. 3:07CV444
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

O R D E R

THIS MATTER is before the Court on Plaintiff's "Application For Attorney Fees Under the Equal Access to Justice Act" filed on September 4, 2008 (document #22). By Response filed on September 25, 2008, the Defendant advises that he does not oppose an award of legal fees in the amount of \$5,500.00, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d).

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's "Application For Attorney Fees Under the Equal Access to Justice Act" (document #22) is **GRANTED**, to the extent that Plaintiff shall be paid the sum of \$5,500.00 for attorney fees.
2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order to counsel for the parties.

SO ORDERED.

Signed: September 25, 2008

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

